

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1931

DATE: September 19, 2001

PROPOSAL: Expand a non conforming use to construct an addition to a single family house.

CONCLUSION: The proposed addition maintains the same building line along Cable Avenue as the existing house and is generally consistent with other houses on the block. The proposed addition will not encroach on the rear yard. The proposed addition will not have a negative impact on the neighborhood.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 5, Block 8, Parkside Place Addition, NW 1/4 of Section 31, T10N, R7E.

LOCATION: Jefferson Avenue and Cable Avenue.

APPLICANT: Richard Barkalow
2004 Jefferson Avenue
Lincoln, NE 68502

OWNER: Same

CONTACT: Same

EXISTING ZONING: R-4 Residential

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North: R-4, Residential
South: R-4, Residential
East: R-4, Residential
West: R-4, Residential

HISTORY:

1. Prior to 1979 the zoning was B Two Family Dwelling District.
2. In 1979 zoning was changed to R-4 Residential
3. Special Permit #1153 was approved in September 1985 to allow an enclosed porch in the required front yard located at 1947 Jefferson Street.

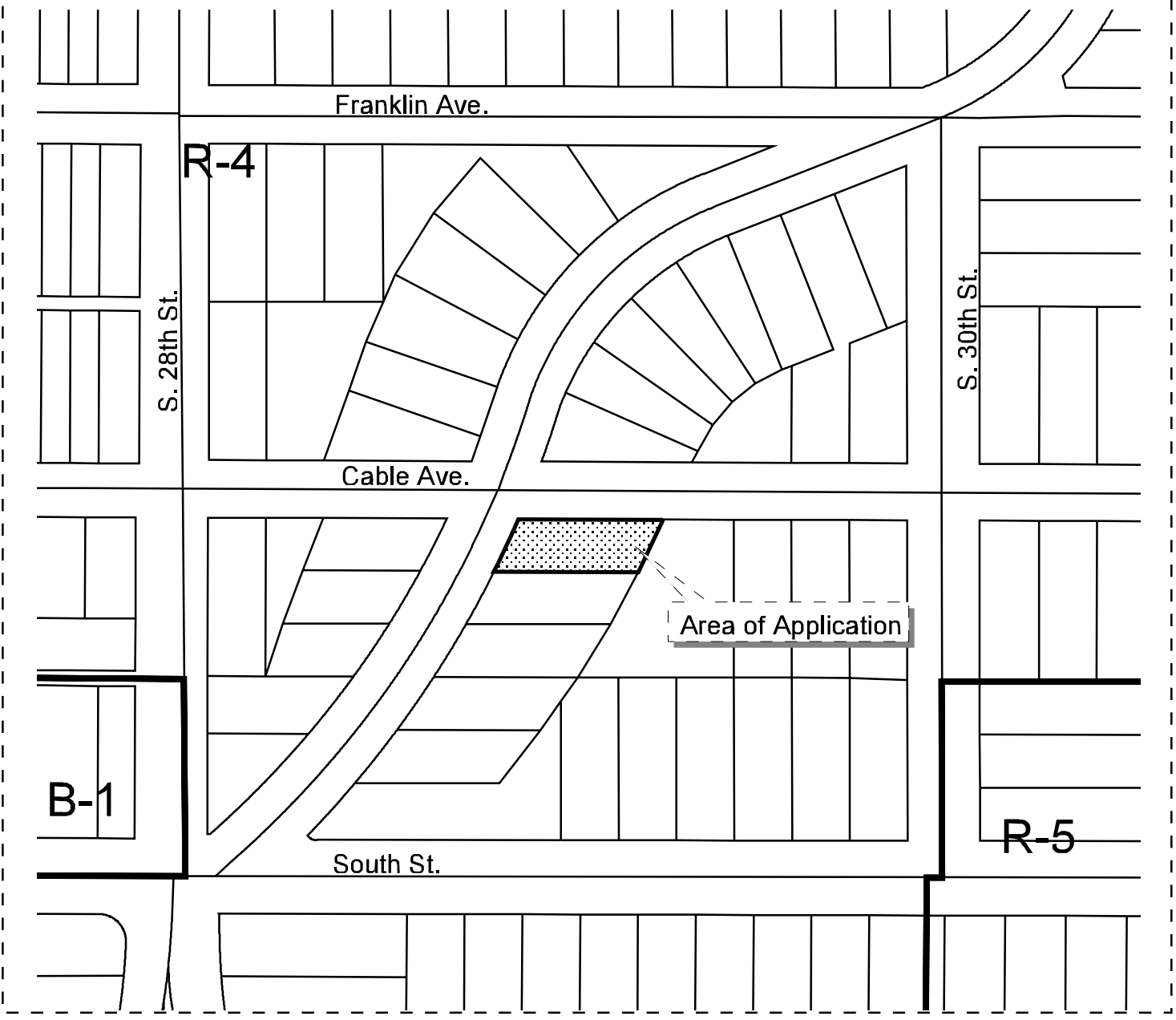


Special Permit #1931
So. 30th & Cable Ave.



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept

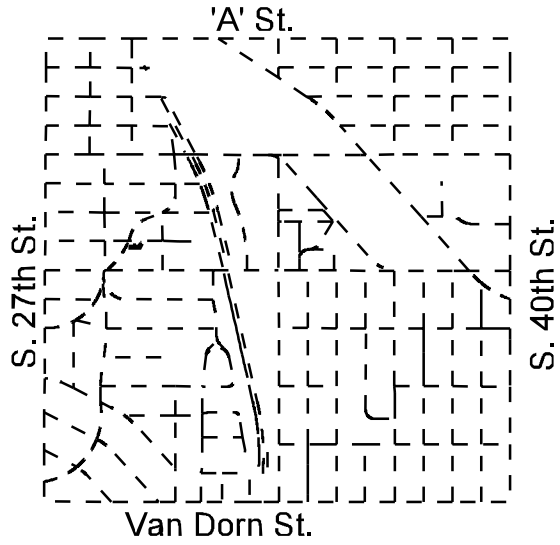
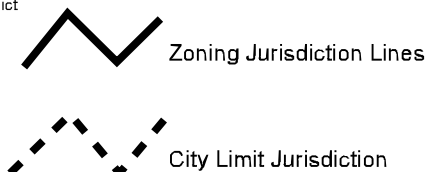


Special Permit #1931 **So. 30th & Cable Ave.**

Zoning:

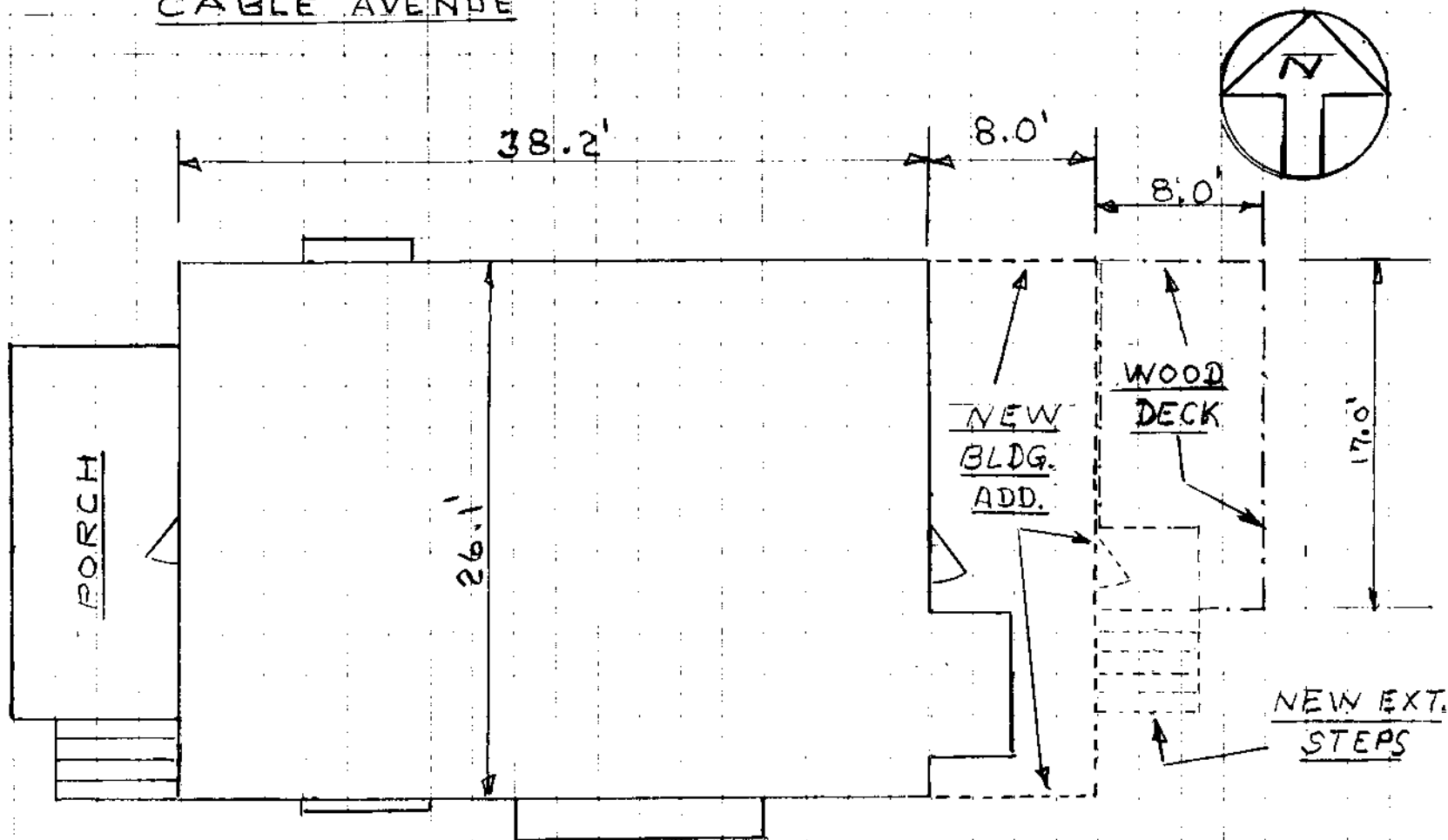
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 31 T10N R7E



JEFFERSON AVENUE

CABLE AVENUE



TITLE: Home Addition Site Plan

LOCATION: 2004 Jefferson Avenue

SUBMITTED BY: Richard C. Barkalow

Barbara J. (Horton) Barkalow

Dwg. By: R.C.B.

DATE: 9-1-01

Scale: 1/8" = 1'-0"

ATTACHMENT B

CABLE AVENUE

NOTE:
CHAIN LINK FENCE
OWNERSHIP UNDETERMINED

SET CHISELED "X"

P=125.00'
M=125.02'

P=213.80'
M=213.83'

JEFFERSON AVENUE

P=50.35'
M=50.32'

P=50.35'
M=50.36'

P=51.81'
M=51.72'

#5 REBAR

#5 REBAR

1.7' x 5.3'
CANTILEVER

2.1' x 1.9'
CANTILEVER

1 STORY
FRAME

GARAGE

LOT 6

ADJOINING PROPERTY WOOD FENCE
CONNECTS ON SITE AS SHOWN

SUBJECT PROPERTY EAVE
IN VIOLATION OF ADJOINING
PROPERTY AS SHOWN

September 6, 2001

Subject: Application for Special Building Permit
2004 Jefferson Avenue
Richard C. Barkalow
Barbara J. Horton (Barkalow)

Gentlemen:

In submitting this application for a special Building Permit, we have two (2) immediate objectives:

1. Expand existing guest bedroom (northeast corner) to achieve a new and larger master bedroom.
2. Expand existing kitchen (southeast corner) to achieve additional floor and cabinet space.

Inasmuch as this addition will be built over the area now occupied by a grade level patio, we desire to construct a new wooden deck as indicated on Attachment B.

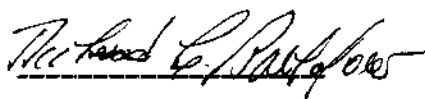
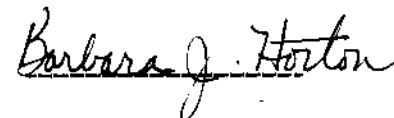
As shown on Attachment B, the building addition will be towards the east (back) of the property following the line(s) established by the existing north and south walls. The roof line of the addition to be two (2) feet (approx.) lower than the existing roof line.

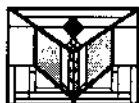
We did look into the provisions as set forth in Section(s) 27.17.080(c) and 27.71.170(b) (2) as regards setback requirement and exceptions. We determined that homes sited on Cable Avenue between Jefferson and South 30th did not establish the necessary precedent.

Respectfully submitted,

Richard C. Barkalow

Barbara J. Horton



Rodger P Harris

09/20/2001 10:15
AM

To: Thomas J Cajka/Notes@Notes
cc: Chuck A Zimmerman/Notes@Notes
Subject: SP 1931, 2004 Jefferson Ave., expand a non-conforming use.

We have reviewed the above referenced project and have the following comments to offer:

1. A prior legal opinion indicates that the enlargement of a nonstandard building, where such enlargement would not comply with minimum requirements for the district, may not be accomplished by a special permit for expansion of a non conforming use. However, in this case the expansion may be requested under Section 27.63.540 LMC, for expansion of a nonstandard single family or two family dwelling into a required yard.
2. The height of the proposed deck is not indicated nor is the distance from the proposed deck to the existing garage. If the deck is over 3 ft. in height above ground, then it must be more than 6 ft. distant from the existing garage.

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF01088**

SP 1931

Address

Job Description: 2002 JEFFERSON AVE

Location: 2002 JEFFERSON AVE

Special Permit: Y 1931

Preliminary Plat: N

Use Permit: N

CUP/PUD: N

Requested By: TOM CAJKA

Status of Review: Approved

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



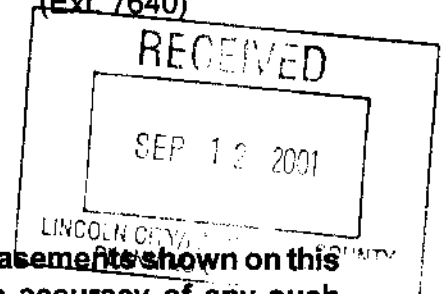
INTER-DEPARTMENT COMMUNICATION

DATE September 11, 2001

TO Tom Cajka, City Planning

FROM Sharon Theobald
(Ext 7640)

SUBJECT DEDICATED EASEMENTS
DN #20S-29E



Attached is the Special Permit Request for 2004 Jefferson Ave .

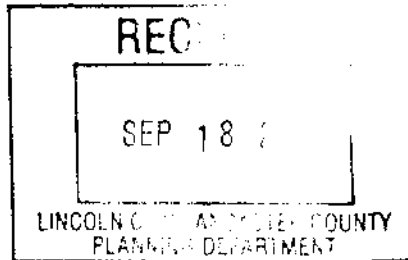
In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will offer no objections to the building expansion proposed for the house at 2004 Jefferson Ave.

Sharon Theobald

ST/nh
Attachment
c:Terry Wiebke
Easement File

Memo



To: Tom Cajka, Planning Department
From: Mark Canney, Parks & Recreation
Date: September 18, 2001
Re: Special Permit to expend 2004 Jefferson Ave. SP 1931

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have no comments at this time.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248.